

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

BGX E-HEALTH LLC,

Plaintiff,

v.

Case No: 6:21-cv-1022-WWB-LHP

DARREN NEIL MASTERS, GRANITE
INVESTMENT GLOBAL US LLC, SN-
SCP LLC and CW FINANCIAL
CONSULTING LLC,

Defendants

ORDER (EX PARTE)

This cause came on for consideration without oral argument on the following
motion filed herein:

**MOTION: PLAINTIFF'S EX PARTE MOTION FOR WRIT OF
GARNISHMENT (Doc. No. 65)**

FILED: October 17, 2022

THEREON it is ORDERED that the motion is GRANTED.

On July 10, 2023, default judgment was entered in favor of Plaintiff and
against Defendants in a total amount of \$11,564,520.00 in damages, plus
prejudgment interest, post-judgment interest, and \$402.00 in costs. Doc. No. 62.

See also Doc. No. 61. By the above-styled *ex parte* motion, Plaintiff seeks issuance of a writ of garnishment of funds belonging to Defendants being held by JPMorgan Chase & Co. a/k/a Chase Bank. Doc. No. 65. Plaintiff includes with the motion a proposed writ. Doc. No. 65-2.

A money judgment is enforceable by a writ of garnishment, and the writ must accord with the law of the state where the court is located. Fed. R. Civ. P. 69(a)(1). Under Florida law, post-judgment writs of garnishment may be issued *ex parte* and without notice to the judgment debtor. *See United Presidential Life Ins. Co. v. King*, 361 So. 2d 710, 713 (Fla. 1978). *See also Commc'ns Ctr., Inc. v. Komatsu*, No. 6:05-cv-1254-Orl-31GJK, 2008 WL 2717669, at *1 (M.D. Fla. June 27, 2008).

In Florida, “[e]very person or entity who has sued to recover a debt or has recovered judgment in any court against any person or entity has a right to a writ of garnishment.” Fla. Stat. § 77.01. After judgment has been entered, but before the writ of garnishment is issued, the party seeking the writ of garnishment must file a motion stating the amount of the judgment. *Id.* § 77.03. The writ must state the amount owed and direct the garnishee to do the following: (1) serve an answer on the movant within 20 days after service of the writ stating whether the garnishee is indebted to the debtor at the time of the answer, or was indebted at the time of service of the writ, or was indebted at any time between such times; (2) state what sum and what tangible or intangible personal property of the debtor the garnishee

possesses or controls at the time of the answer, or had at the time of the service of the writ, or at any time between such times; and (3) whether the garnishee knows of any other person indebted to the debtor, or who may possess or control any of the debtor's property. *Id.* § 77.04.

On review, Plaintiff's motion and proposed writ comply with these requirements. Doc. Nos. 65, 65-2. Accordingly, Plaintiff's motion (Doc. No. 65) is **GRANTED**, and the Clerk of Court is **DIRECTED** to issue the proposed writ (Doc. No. 65-2).

DONE and ORDERED in Orlando, Florida on June 28, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties